



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AF, COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY:

Paul G. King

DATE:

June 6, 2006

**PATENT
MAIL STOP AF**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of : Group Art Unit: 3732
Bruno Giannetti, et al. :
:
Appln. No.: 10/061,655 : Examiner: Eduardo Robert
:
Filed: February 1, 2002 :
: Attorney Docket
For: Kit for Chondrocyte Cell Transplantation : No. 054756-5003-00

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's Decision in the Office Action dated December 6, 2005, regarding claims 17-24 of the present application.

The item(s) checked below are appropriate:

- ☒ A Petition for Extension of Time with extension fee for three (3) months up to and including June 6, 2006, to file this Notice of Appeal, with authorization to charge the appropriate extension fee, is enclosed.
- ☐ A Petition for Extension of Time for ___ month(s) to file the Notice of Appeal and our check in the amount of \$ ___ for the extension fee are enclosed.
- ☒ Please charge our firm's deposit account 50-0310 (**Billing No. 054756-5003-00**) for the amount indicated below for filing this Notice of Appeal:
- ☐ \$250.00 -- a Small Entity Declaration has been filed previously in this case.
- ☒ \$500.00 -- no Small Entity Declaration is appropriate.
- ☐ Not required (fee paid in prior appeal).
- ☐ An oral hearing before the Board of Appeals is respectfully requested.

☐ Our firm's check in the amount indicated below is enclosed for this request for an oral hearing.

☐ \$150.00 - a Small Entity Declaration has been filed previously in this case.

☐ \$300.00 - no Small Entity Declaration is appropriate.

☒ Any additional required fees or any overpayments may be charged or credited to Deposit Account No. 50-0310 (Billing No. **054756-5003-00**). One additional copy of this Notice is enclosed for accounting purposes.


Respectfully submitted,

BRUNO GIANNETTI, et al.

June 6, 2006

(Date)

By: _____



GAIL H. GRIFFIN

Registration No. 51,941

MORGAN, LEWIS & BOCKIUS, L.L.P.

1701 Market Street

Philadelphia, PA 19103

Telephone No.: 215-963-5000

Direct Telephone: 215-963-5265

Facsimile: 215-963-5001

E-Mail: ggriffin@morganlewis.com

GHG

Enclosure: Petition for three-month extension of time